c. a third element, linked to and comprised in a separate polypeptide chain from said first and second elements, comprising a therapeutic element derived from a Clostridial neurotoxin able, when present in the cytoplasm of a pancreatic cell, to inhibit or block enzymatic secretion by said pancreatic cell, and wherein following binding of said first element to a pancreatic acinar cell said third element is transported across a pancreatic cell membrane.

CONT.

REMARKS

This communication is being filed in reply to the Office Action mailed November 18, 2002. Applicants have carefully studied the Examiner's comments, and have the following remarks.

Rejection of Claims 1-24 under 35 USC § 112(1)

The Examiner has rejected claim 1-24 as allegedly indefinite in the recital of the phrase in claim 1 "containing an amino acid sequence region SEQ ID NO: 2". Applicants have therefore made the claim amendment suggested by the Examiner. Applicants thank the Examiner for indicating that the claims would be allowable if this amendment were made.

CONCLUSION

For the reasons given above, Applicants believe the pending claims are in ;condition for allowance, and respectfully request that the Examiner issue a Notice to that effect. If any fee is required in connection with this communication; please use Deposit Account 01-0885 for payment of any fee that may be due.

Respectfully submitted,

Date: 2/11/03

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MARKED-UP COPY OF AMENDED CLAIM

2. (6 times amended) A composition able to treat acute pancreatitis in a mammal comprising,

a) a first element comprising a binding element selected from the group consisting of [a]i) a first peptide [containing] comprising an amino acid sequence consisting of [region] SEQ ID NO. 2 or a contiguous fragment thereof containing at least the 8 C-terminal residues of such region, wherein the C-terminal phenylalanine is amidated and/or the aspartic acid residue 7 amino acids from the C-terminus thereof is sulfated, and [b]ii) said first peptide wherein said phenylalaninre and aspartic acid residue have not been modified, and wherein said binding element is able to specifically bind a CCK-A or CCK-B receptor under physiological conditions,

b) a second element comprising a translocation element derived from a Clostridial neurotoxin able to facilitate the transfer of a polypeptide across a vesicular membrane in a pancreatic cell, and

c) a third element, linked to and comprised in a separate polypeptide chain from said first and second elements, comprising a therapeutic element derived from a Clostridial neurotoxin able, when present in the cytoplasm of a pancreatic cell, to inhibit or block enzymatic secretion by said pancreatic cell, and wherein following binding of said first element to a pancreatic acinar cell said third element is transported across a pancreatic cell membrane.